IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT CHANDIGARH

C.R.No.1612 of 2001 and
C.R.No.2530 of 2001
DATE OF ORDER: 8.1.2007

Pardeep Kumar

...Petitioner(s)

Versus

Ram Krishan and Others

....Respondent(s)

CORUM : HON'BLE MR. JUSTICE M.M. AGGARWAL

.*.*.*.

Present: Mr. C.M. Munjal, Advocate.
Mr. A.K. Chopra, Senior Advocate with
Mr. Rajnish Chauhan, Advocate.

M.M. AGGARWAL,J

Aforesaid two revision petitions arise out of the judgment dated 13.12.2000 of appellate authority, Ferozepur.

The facts of the case are that Ram Krishan had filed an ejectment petition against Vinod Kumar, Vijay Kumar and Pardeep Kumar.

According to Ram Krishan landlord, Vinod and Vijay Kumar were originally tenants in the shop. However, subsequently only Vinod Kumar remained as tenant and Vijay Kumar had no concern. However,

Vinod Kumar then shifted to Ganga Nagar and sub let the premises to Pardeep Kumar.

Ejectment petition was allowed, on the ground of subletting of the premises by Vinod Kumar to Pardeep Kumar, by Rent Controller vide judgment dated 13.6.1997. Vinod Kumar had filed appeal against that judgment, which was dismissed. Now Vinod Kumar has separately filed revision petition against that judgment whereas Pardeep Kumar has also come up in revision although Pardeep Kumar had originally not contested the petition having been proceeded ex parte nor had filed the appeal.

Counsel for the petitioner has argued that from the facts and circumstances of the case, it could not at all be held that Vinod Kumar tenant had left Abohar and had shifted to Ganga Nagar and that Pardeep Kumar happened to be brother of Vinod Kumar and that there had been no sub letting. In fact Vinod Kumar had been doing business.

There is concurrent finding of two courts below that Vinod Kumar had subletted the premises to Pardeep Kumar and therefore ejectment petition had been allowed. No law point is involved.

I do not find any good ground to interfere.

Dismissed.

January 08, 2006 (M.M. AGGARWAL)
manoj JUDGE